

**Introduced by Committee on Natural Resources and Water
(Senators Kuehl (chair), Aanestad, Kehoe, Lowenthal,
Machado, Margett, and Migden)**

March 7, 2006

An act to amend Sections 104 and 207 of the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

SB 1845, as introduced, Committee on Natural Resources and Water. Fish and Game Commission.

(1) Existing law creates the Fish and Game Commission, and permits the commission to employ a secretary. Existing law specifies that neither the commission nor the secretary shall have or be given any powers in relation to the administration of the Department of Fish and Game.

This bill would instead permit the commission to employ an executive director, who would not have and could not be given any powers relating to administration of the Department.

(2) Existing law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibia, and reptiles, as provided. Existing law requires the commission to exercise its powers by regulation, and specifies the scope of regulations the commission may adopt. Existing law requires the commission to hold meetings in the first 10 days of the months of February, March, and April at least once every 3 years for the purpose of considering and adopting revisions to regulations relating to mammals, and specifies the location of those meetings. Existing law requires the commission to perform certain functions at the February, March, and April meetings.

This bill would instead require the commission to hold meetings in the first 10 days of the months of February, April, and August. The bill would make corresponding changes in the locations of the meetings, and would modify the months in which the commission is required to perform specified functions at or after the meetings.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 104 of the Fish and Game Code is amended to read:

104. The commission may employ ~~a secretary~~ *an executive director*, but neither the commission nor ~~such secretary~~ *the executive director* shall have or be given any powers in relation to the administration of the department.

SEC. 2. Section 207 of the Fish and Game Code is amended to read:

207. (a) In addition to, or in conjunction with, other regular or special meetings, the commission shall hold meetings in the first 10 days of the months of February, ~~March, and April, and August~~ at least once every three years for the purpose of considering and adopting revisions to regulations relating to mammals. The commission shall alternate the location of the ~~February~~ *August* meeting between Sacramento and Los Angeles or Long Beach. The commission shall alternate the location of the ~~March~~ *February* meeting between San Diego and Redding or Red Bluff. The commission shall alternate the location of the April meeting between Sacramento and Los Angeles or Long Beach.

(b) At the ~~February~~ *August* meeting, the commission shall receive recommendations for regulations from its own members and staff, the department, other public agencies, and the public.

(c) At the ~~March~~ *February* meeting, the commission shall devote time for open public discussion of proposed regulations presented at the ~~February~~ *August* meeting. The department shall participate in this discussion by reviewing and presenting its findings regarding each regulation proposed by the public and by responding to objections raised pertaining to its proposed regulations. After considering the public discussion, the

1 commission shall announce, prior to adjournment of the ~~March~~
2 *February* meeting, the regulations it intends to add, amend, or
3 repeal relating to mammals.

4 (d) At, or within 20 days after, the April meeting, the
5 commission may choose to hear additional public discussion
6 regarding the regulations it intends to adopt. At, or within 20
7 days after, the meeting, the commission shall add, amend, or
8 repeal regulations relating to any recommendations received at
9 the February meeting regarding mammals that it deems necessary
10 to preserve, properly utilize, and maintain each species or
11 subspecies.

12 (e) Within 45 days after adoption, the department shall publish
13 and distribute regulations adopted pursuant to this section.